

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

---

IN RE

Roger Peter Rinaldi and Desa Lilly Rinaldi,  
  
Debtors

Chapter 13

Case No. 11-35689-svk

Roger Peter Rinaldi, et al.,  
  
Plaintiffs,

Adversary No.12-02412-svk

v.  
HSBC Bank USA, N.A., et al.,  
  
Defendants.

---

**NOTICE OF DEFENDANTS' JOINT MOTION AND MOTION FOR EXTENSION OF  
TIME TO RESPOND TO THE ADVERSARY COMPLAINT**

---

Defendants HSBC Bank USA, National Association as Trustee for Wells Fargo Home Equity Asset-Backed Securities 2005-2 Trust, Home Equity Asset-Backed Certificates, Series 2005-2, Wells Fargo Bank, N.A., Wells Fargo Asset Securities Corporation, America's Servicing Company, Litchfield Cavo LLP, and Brad A. Markvart, by their counsel, Stephanie L. Dykeman of Litchfield Cavo LLP; and defendants Gray & Associates LLP, William N. Foshag, Duncan C. Delhey, Jay Pitner, and Brian D. Perhach, by their counsel, David Hanus of Hinshaw & Culbertson LLP; hereby move the Court pursuant to Federal Rules of Bankruptcy Procedure Rule 9006 and U.S. District Court for the Eastern District of Wisconsin Bankruptcy Local Rule 9006, for an expedited order extending the defendants' time for responding to the Adversary Complaint under Federal Rules of Bankruptcy Procedure Rule 7012 from the current deadline of July 18, 2012 to August 1, 2012; and allege as follows:

1. The voluminous allegations against the defendants set forth in the Adversary Complaint arise in part from a prior foreclosure action before the Kenosha County, Wisconsin circuit court, HSBC Bank USA, National Association, as Trustee for Wells Fargo Asset Securities Corporation Home Equity Asset-Backed Certificates, Series 2005-2, c/o Wells Fargo Bank, N.A. v. Roger P. Rinaldi and Desa L. Rinaldi, Kenosha County Case No. 09-CV-0353 (“Foreclosure Action”).

2. The voluminous allegations against the defendants set forth in the Adversary Complaint also arise in part from a civil action currently pending before the Kenosha County, Wisconsin circuit court, Roger and Desa Rinaldi v. Wells Fargo Bank, N.A. et al., Kenosha County, Wisconsin Case No. 11-CV-1477 (“Civil Action”).

3. The defendants have requested transcripts from the court reporter of hearings that occurred in both the Foreclosure Action and the Civil Action, as they are necessary to respond to the allegations of the Adversary Complaint.

4. To date, the court reporter has not yet provided the requested transcripts to the defendants.

5. The defendants would be prejudiced by having to respond to the Adversary Complaint on July 18, 2012 as they would be deprived of the transcripts necessary to craft a complete and accurate response.

WHEREFORE, for cause shown the defendant-movants request that the Court enter an order extending the deadline for responding to the Adversary Complaint from July 18, 2012 to August 1, 2012 pursuant to Federal Rules of Bankruptcy Procedure Rule 9006 and U.S. District Court for the Eastern District of Wisconsin Bankruptcy Local Rule 9006, that any order entered

pursuant to this motion be effective immediately upon its entry and for such further relief as may be just and equitable.

Dated at Brookfield, Wisconsin this 11<sup>th</sup> day of July, 2012.

DIRECT INQUIRIES TO:

Stephanie L. Dykeman  
Litchfield Cavo LLP  
13400 Bishops Lane, Suite 290  
Brookfield, WI 53005  
Phone: (262) 784-8931  
Fax: (262) 784-8812  
dykeman@litchfieldcavo.com

/s/ Stephanie L. Dykeman

Stephanie L. Dykeman, WBN 1035857  
Attorney for HSBC Bank USA, N.A.,  
Litchfield Cavo LLP, Brad A. Markvart,  
Wells Fargo Bank, N.A., Wells Fargo  
Asset Securities Corporation, and  
America's Servicing Company

Dated at Milwaukee, Wisconsin this 11<sup>th</sup> day of July, 2012.

DIRECT INQUIRIES TO:

David John Hanus  
Hinshaw & Culbertson LLP  
100 E Wisconsin Ave Ste 2600  
Milwaukee, WI 53202-4124  
Phone: (414) 225-4807  
Fax: (414) 276-9220  
dhanus@hinshawlaw.com

/s/ David John Hanus

David John Hanus, WBN 1027901  
Attorney for Gray & Associates LLP,  
William N. Foshag, Duncan C. Delhey,  
Jay Pitner, and Brian D. Perhach